



**PATENT** 

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| Application of:                          | ) <u>CERTIFICATE OF MAILING</u>  |
|--|--|
| THOMAS TIEDEMANN and OTFRIED SCHWARZKOPF | <ul> <li>) I hereby certify that this</li> <li>) correspondence is being deposited</li> <li>) with the United States Postal Service</li> </ul> |
| Application No. 10/049,690               | with sufficient postage on first class   |
| Filed: June 18, 2002  JUN 1 7 2004       | mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, this 7th day                              |
| Group Art Unit: 3746  OFFICE OF PETTI    |  |
| Examiner: Han L. Lui                     | Haleo Kubiak Date  |
| AXIAL PISTON DRIVE WITH A                | Marlene Kubiak Date  |
| CONTINUOUSLY ADJUSTABLE                  | )  |
| PISTON STROKE                            | j  |

## PETITION TO REVIVE PURSUANT TO 37 C.F.R. 1.137(b)

MS: PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

#### **FACTS**

An Office Action issued in this application on August 27, 2003 setting a three month period for response. An Amendment was not filed within the three month period, or any extension thereof, resulting in the abandonment of this application and the necessity of this Petition.

## **STATEMENT**

The failure to make a timely response in this application within the three month period, or any extension thereof, was unintentional.

#### **RESPONSE**

An Amendment response to the Office Action of August 27, 2003 accompanies this Petition.

06/15/2004 CNGUYEN 00000010 10049690

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1330.00 OP

Application No. 10/049,690

Inventors: Thomas Tiedemann and Otfreid Schwarzkopf

## **FEES**

This Petition is accompanied by a petition fee set forth in 37 C.F.R. § 1.17(m) in the amount of \$1,330 and also including an amount of \$2,010 for the extension fee provided 37 C.F.R. § 1.17(a), for a total of \$3,340.

## CONCLUSION

Revival of this application to pending status to the extent noted above is respectfully sought.

Respectfully submitted,

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Atty. Docket No: 825-00161